

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document # 5

U.S.C.A. # _____

U.S.D.C. # 08-cv-3113

JUDGE: KMW

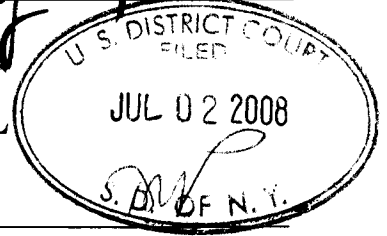
DATE: July 2, 2008

Fernandez

-v-

USA

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME): THOMAS R. PISARCZYK
FIRM: U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK
ADDRESS: 500 PEARL STREET, ROOM 370
NEW YORK, NEW YORK 10007
PHONE NO.: (212) 805 - 0636

DISTRICT COURT DOCKET ENTRIES _____

DOCUMENT DESCRIPTION	DOC. #
CLERK'S CERTIFICATE	_____
SEE ATTACHED LIST OF NUMBERED DOCUMENTS	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 2nd Day of July, 2008.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Fernandez
-v-
VSA

U.S.C.A. # _____

U.S.D.C. # 08-cv-3113

JUDGE: KMW

DATE: July 2, 2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 4, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 2nd Day of July In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk

By 
Deputy Clerk

APPEAL, CLOSED, HABEAS, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-03113-KMW
Internal Use Only

Fernandez v. United States of America
Assigned to: Judge Kimba M. Wood
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 03/27/2008
Date Terminated: 05/28/2008
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: U.S. Government Defendant

Date Filed	#	Docket Text
03/27/2008	1	PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2241. Document filed by Ramon Fernandez.(jeh) (Entered: 04/04/2008)
03/27/2008		Magistrate Judge Ronald L. Ellis is so designated. (jeh) (Entered: 04/04/2008)
03/27/2008	2	60 DAYS ORDER; For reasons discussed in this order, Although Petitioner has neither asked to proceed in forma pauperis nor paid the filing fee, the Clerk of Court is directed to assign a docket number for this matter. See Standing Order M10-468 (TPG). For the reasons set forth in this order, Petitioner is directed to submit an amended petition within sixty (60) days from the date of this order. No answer shall be required at this time and all further proceedings shall be stayed for sixty days or until petitioner has complied with this order. Petitioner is directed to inform the Court in writing within sixty days of the date of this order whether petitioner wishes to withdraw the motion or have the Court construe it as a petition pursuant to 28 U.S.C. 2241. Petitioner is advised that any amended 2241 petition submitted should be captioned Amended Petition and bear the same docket number as this order. If Petitioner fails to inform the court whether he wishes to withdraw the motion or have it construed as a petition pursuant 2241 within the time allowed, it shall be construed as a habeas petition brought pursuant to 28 U.S.C. 2241 and transferred to the United States District Court for the Western District of Texas. 28 U.S.C. 124 (d) (6). I certify pursuant to 28 U.S.C. 1915 (a) (3) that any appeal from the instant order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 03/27/2008) (jeh) (Entered: 04/04/2008)
05/28/2008	3	JUDGMENT, By order dated March 27, 2008, petitioner was directed to submit an amended petition within sixty (60) days of the date of that order. Given that petitioner failed to file an amended petition as specified, it is ORDERED, ADJUDGED AND DECREED; That the petition is dismissed without prejudice. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 5/28/08) (dt) (Entered: 05/30/2008)
05/28/2008		Mailed notice of Right to Appeal to Pro Se Litigant(s): Ramon Fernandez. (ama) (Entered: 06/02/2008)
06/16/2008	4	NOTICE OF APPEAL from 3 Judgment. Document filed by Ramon Fernandez. (tp) (Entered: 07/01/2008)
06/16/2008		Appeal Remark as to 4 Notice of Appeal filed by Ramon Fernandez. \$455.00 APPEAL FEE DUE. IFP REVOKED 5/28/08. (tp) (Entered: 07/01/2008)
07/01/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 4 Notice of Appeal. (tp) (Entered: 07/01/2008)
07/01/2008		Transmission of Notice of Appeal to the District Judge re: 4 Notice of Appeal. (tp) (Entered: 07/01/2008)